

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No. 23-mj-8090-RMM

UNITED STATES OF AMERICA,

Plaintiff,  
vs.

TREVOR SCOTT MARTIN, and  
JAMES CINE,

Defendants.

FILED BY SP D.C.

**Feb 18, 2023**

ANGELA E. NOBLE  
CLERK U.S. DIST. CT.  
S. D. OF FLA. - West Palm Beach

**CRIMINAL COVER SHEET**

1. Did this matter originate from a matter pending in the Miami Office of the United States Attorney's Office prior to July 20, 2008?

Yes  No

2. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office (West Palm Beach Office) only prior to December 18, 2011?

Yes  No

3. Did this matter originate from a matter pending in the Fort Pierce Office of the United States Attorney's Office prior to August 8, 2014?

Yes  No

Respectfully submitted,

MARKENZY LAPOINTE  
UNITED STATES ATTORNEY

BY:



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UNITED STATES DISTRICT COURT  
for the  
Southern District of Florida

United States of America )  
v. )  
TREVOR SCOTT MARTIN, ) Case No. 23-mj-8090-RMM  
and )  
JAMES CLINE )  
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CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 12/06/2022 - 02/18/2022 in the county of Palm Beach in the  
Southern District of Florida, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 USC §§ 922(d)(1), 924(a)(8)	Knowingly Selling or Disposing of Firearm to a Convicted Felon (MARTIN)
18 USC §§ 922(g)(1), 924(a)(8)	Felon in Possession of a Firearm (CLINE)
21 USC §§ 841(a)(1), 841(b)(1)(C)	Conspiracy to Possess with Intent to Distribute a Controlled Substance (fentanyl)
18 USC §§ 924(c)(1)(A) and 2(b)	Possession of a Firearm in Furtherance of a Federal Drug Trafficking Crime

This criminal complaint is based on these facts:

See attached Affidavit

Continued on the attached sheet.



Complainant's signature

Herbert Kyle Belga, Special Agent, ATF

Printed name and title

Subscribed and sworn to before me in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone (Facetime)

Date: 02/18/2023



Judge's signature

City and state: West Palm Beach, Florida

Hon. Ryon M. McCabe, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT  
OF CRIMINAL COMPLAINT**  
Case No. 23-mj-8090-RMM

Your affiant, ATF Special Agent HERBERT KYLE BELGA, being first duly sworn, does hereby depose and state as follows:

**Introduction**

1. Your affiant, Herbert Kyle Belga, is a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives, and have been since May 2021. Prior to my current position, I served in the United States Marine Corps for seven years as a Field Artillery Officer. I am a graduate of the Federal Law Enforcement Training Center's Criminal Investigator Training Program as well as the ATF National Academy. As an ATF Special Agent, I have conducted and participated in investigations of a variety of federal crimes, including firearms and narcotics violations.

2. Your affiant submits this affidavit in support of a criminal complaint charging TREVOR SCOTT MARTIN with the following violations of federal law: Title 18, United States Code, Sections 922(d)(1) and 924(a)(8)(Knowingly Selling or Disposing of a Firearm to a Convicted Felon); Title 21, United States Code, Sections 841(a)(1) and 846 (Possession of Controlled Substances with the Intent to Distribute, and Conspiracy to Possess with Intent to Distribute Controlled Substances); and Title 18, United States Code, Section 924(c) (Possession of a Firearm in Furtherance of Federal Drug Trafficking Crimes). Your affiant further submits this affidavit in support of a criminal complaint charging JAMES CINE with the following violations of federal law: Title 18, United States Code, Section 933(a)(1)(Trafficking in Firearms); Title 18, United States Code, Sections 922(g)(1) and 924(a)(8)(Possession of a Firearm by a Convicted Felon); Title 18, United States Code, Sections 924(c) and 2(b)(Possession of a Firearm in

Furtherance of Federal Drug Trafficking Crimes and Title 21, United States Code, Sections 841(a)(1) and 846 (Possession of Controlled Substances with the Intent to Distribute, and Conspiracy to Possess with Intent to Distribute Controlled Substances).

3. The facts contained in this Affidavit come from my personal knowledge, training, and experience, as well as information obtained during my investigation from other members of law enforcement, witnesses, and the victims affected by these criminal violations. Because this affidavit is submitted for the limited purpose of obtaining a criminal complaint, it does not contain all the facts known to me about the investigation, but rather, those facts that I submit establish probable cause of the offenses listed herein.

**PROBABLE CAUSE**

4. On December 10, 2022, the Palm Beach County Sheriff's Office (PBSO) deputies responded to a 911 call relating to shots fired at 578 Mango Road, West Palm Beach, Palm Beach County, Southern District of Florida. PBSO identified the shooter, hereinafter referred to as "DT." A state Search Warrant was sought and obtained for the residence. During a search of the residence, PBSO deputies recovered a Glock, Model G43X, 9mm semi-automatic pistol, as well as ammunition and narcotics. The following day, December 11, 2022, DT was arrested for the state violation of Possession of a Firearm by a Convicted Felon, in violation of Florida State Statute 790.23(1).

5. ATF firearms trace records based on the firearm's unique serial number reflected the purchase on December 6, 2022, and transfer (due to an intervening waiting period) on December 11, 2022, of the aforementioned Glock Model: G43X, 9mm semi-automatic pistol by a person who identified himself using Florida state-issued identification, as Trevor Scott MARTIN, from "The Gun Room, LLC" of Boca Raton, Palm Beach County, Southern District of Florida.

Your affiant notes that, generally, firearms traces are only initiated through ATF when a firearm is recovered from a crime scene. According to the ATF trace report, the firearm recovery date was December 11, 2022, with a Time to Crime (TTC) of "0" days. ATF defines Time to Crime as the period of time (measured in days) between the first retail sale of a firearm and a law enforcement recovery of that firearm during use, or suspected use, in a crime. ATF firearms trace records revealed that MARTIN had been involved in (3) three additional firearm traces as the purchaser dating back to 2021, including two 31-day and a 16-day TTC.

6. On January 5, 2023, your affiant received copies of several ATF Firearms Transaction Records (ATF Form 4473) filled out by MARTIN from FFL, The Gun Room, LLC. The receipt of the transactions for the multiple firearms purchased by MARTIN lists a date of December 6, 2022. Your affiant reviewed ATF Form 4473 from The Gun Room, LLC. The ATF Form 4473 form was completed and signed by MARTIN on December 6, 2022, in the Southern District of Florida. MARTIN listed his residential address and a phone number of 561-459-9923.

7. Your affiant reviewed exterior video surveillance footage from The Gun Room, LLC, that depicts MARTIN arriving at The Gun Room, LLC on December 6, 2022, at 12:06 PM, in a blue Dodge Ram truck later being identified as bearing Florida tag 92BNJA. The surveillance video depicts MARTIN viewing several firearms as he is utilizing his cellular device to communicate with unknown persons. After completing the ATF Form 4473 and finalizing the firearm transaction, MARTIN departs the business. According to DHSMV records, MARTIN is the registered owner of the 2015 blue Dodge Ram pickup truck with 1 Forest Hills Lane, Boca Raton 33431 listed as the address.

8. On January 12, 2023, your affiant initiated the use of a Cooperating Defendant (CD) to make contact with MARTIN in order to elicit information of Federal firearms violations in Palm

Beach County within the Southern District of Florida. For the Court's information, the CD was previously convicted in 2009 for Possession of a Schedule III Controlled Substance under Georgia state law. Thereafter, the CD served as a confidential informant in return for financial compensation for a federal agency primarily involved in the enforcement of federal drug laws. During that time, the CD provided useful information which resulted in multiple arrests and seizures. However, while working as an informant for that agency, the CD was later discovered by ATF investigation to have participated together with four other conspirators in a robbery of three marijuana dealers in Northern California in June of 2019 using replica firearms (which were later determined to be "BB guns"). The CD's participation in the robbery was not authorized or reported to his controlling federal law enforcement agent. Upon learning of the CDs activities, the CD was deactivated as an informant by that agency. In November 2021, the CD was subsequently charged in the Southern District of Florida with Conspiracy and Substantive Hobbs Act robbery in violation of Title 18, United States Code, Section 1951, and Conspiracy and Substantive Possession with Intent to Distribute Marijuana in violation of Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(C). The CD is presently cooperating with federal authorities, to include HSI and ATF, in an attempt to provide substantial assistance to law enforcement in the hope that the Sentencing Court in the Southern District of Florida shall take such into consideration during his sentencing. Since that time, with the knowledge of the District Court and U.S. Probation, the CD has provided information and assistance in at least one other federal investigation in the Southern District of Florida. During that investigation the CD's information proved reliable, as verified by audio and video recording devices which monitored his communications with the target of the investigation. That cooperation resulted in the guilty plea of the target of the investigation for federal drug and firearms offenses.

9. In view of the foregoing evidence suggesting MARTIN was engaged in the ongoing and active unlawful trafficking of firearms, ATF inquired of the CD whether he had any knowledge of CD, since CD was also involved in the rental of exotic vehicles in the South Florida area. On January 12, 2023, the CD informed TFO Silva that he was familiar with the company MARTIN owned and then viewed the Instagram account for "Eleven Exotic Cars." The CD then viewed the Instagram.com personal account for MARTIN "tgunnzinc" and noticed that they also had several mutual friends. At 2:36 PM, the CD contacted MARTIN via Instagram.com's messenger function, Instagram Direct, allowing users to chat privately either one-on-one or in groups. Often called a "DM," short for "Direct Message," this messenger is accessible via web browsers and within the Instagram app. On January 14, 2023, at 4:34 PM, the CD contacted ATF personnel to report that he viewed MARTIN's Instagram account "tgunnzinc" and noticed that MARTIN posted an Instagram story that depicted an image of an AR-15 style rifle on top of a black backpack laid out on a red/black driver's seat of a vehicle. The image had the following comment "F.O.R. S@L3, TWENTY TWO HUNDRED OBO, WILL  FOR FREE". A few minutes after the initial posting of an AR-15 by MARTIN, there was a follow-up posting that said: "They took the first post down so quickly Imaooo". ".223/5.56, SIG SAUER FROM END TO END EXCEPT GRIP & FOLDING ADAPTER (LAW TACTICAL \$500), IF YOURE A SERIOUD [sic] BUYER, DM ME. I WILL PUT 1500 LUMENS OLIGHT LASER COMBO ON FOR AN EXTRA \$250". The CD replied to MARTIN's story with a heart emoji expressing interest and then MARTIN send the following which indicated further firearms dealing. "oh, I'm the plug, my boy owns a shop." On the basis of both my own and TFO Silva's training and experience, we understood the foregoing statement to be street terminology for MARTIN acknowledging he was a source of supply or "plug" for

firearms, and that his close associate ("my boy") was the owner of the federal firearms dealership from which MARTIN could obtain firearms.

10. Further conversation between the CD and MARTIN led to establishing a meeting date of January 18, 2023, at the CD's business location in Miami, Florida.

11. On January 18, 2023, at approximately 12:30 pm, ATF personnel initiated surveillance at MARTIN's residence, at 1 Forest Hill Lane, Boca Raton, Palm Beach County, Southern District of Florida. Agents observed MARTIN walking towards a gray Dodge Durango parked in the driveway. MARTIN then returned to his residence carrying a backpack. At approximately 12:32 pm, MARTIN exited his residence carrying a black backpack with brown leather straps. He walked to the rear of the Dodge Durango and opened the liftgate. After opening the rear compartment of the Dodge Durango, MARTIN removed an unidentified object from the rear of the Durango and placed it into a different large black bag. MARTIN then walked over to the Dodge Ram, parked next to the Dodge Durango in the residence's driveway. He placed both bags on the passenger side of the blue Dodge Ram. MARTIN departed from the residence in the blue Dodge Ram pickup truck. A DHSMV check of the gray Dodge Durango revealed that it is registered to Enterprise car rental.

12. On January 18, 2023, at approximately 2:39 pm, at the direction of your affiant, MARTIN arrived at CD's business, located in Miami, Dade County, Southern District of Florida. MARTIN was driving his blue Dodge Ram truck and he was the sole occupant in the vehicle. This meeting was audio and video recorded.

13. On arrival, the CD and MARTIN exchanged a greeting, and MARTIN removed a black backpack with an American flag patch from the truck's passenger side. They entered the CD's business and MARTIN removed a Sig Sauer, Model M400, .223 caliber, AR-15 variant

semi-automatic pistol, S/N: 20J047380, five AR-style magazines, and approximately 194 rounds of .223 Remington ammunition from the black backpack. The CD thereafter purchased the foregoing items from MARTIN in return for \$1,800.00 derived from ATF Investigative Funds.

14. The recorded conversation between the CD and MARTIN included the discussion of future firearms transactions under the rationale that the CD needed to acquire more readily concealable firearms, with the CD stating, "I need something on me." MARTIN replies, "Oh yeah, I can get you anything you want." The CD alluded to MARTIN as to his (the CD's) status as a convicted felon stating, "Yeah I want something like that's concealed because I'm not even supposed to -- you know what I mean?"

15. Once the firearm transaction concluded, the CD asked MARTIN, "do you have any dope?" MARTIN indicated that he did, and MARTIN exited the business and removed a second backpack with brown straps from his vehicle. They both returned to the CD's business and MARTIN said, "Please, please be careful with this" to the CD, referring to the fentanyl that was stored in the second bag. MARTIN sat at the CD's desk and removed a plastic bag containing a gray powdery substance from the bag. MARTIN looked in the desk's area and asked for an item to prep the fentanyl and was given a can of tomato paste by the CD, approving the use of the can. Once the fentanyl was ready for sale, the CD purchased 3.5 grams of fentanyl (confirmed presence of fentanyl by DEA Southeast Regional Laboratory on February 7, 2023) in return for \$500.00 derived from ATF Investigative Funds.

16. The CD inquired about future transactions and asked MARTIN, "You can get more of this if I need it?" MARTIN replied, "I can get it. I could get it." During the meeting, MARTIN provided the CD his phone number of 561-459-9923. Once the transactions were finalized, MARTIN departed the business in his blue Dodge Ram truck. Your affiant noticed that the Sig

Sauer, M400, .223 caliber firearm purchased by the ATF CD is identical to the Sig Sauer firearm MARTIN posted on his Instagram account on January 14, 2023.

17. According to ATF Multiple Firearm transaction record obtained from the FFL, "The Gun Room, LLC" of Boca Raton, Florida on December 6, 2022, MARTIN purchased the Sig Sauer, M400, .223 caliber, S/N: 20J047380, a 9mm, Sig Sauer, P365-XMacro, and the Glock, Model" 43X that was recovered during the PBSO shooting investigation.

18. On January 18, 2023, following the transaction in Miami, Florida, the CD sent MARTIN a text message directed to the MARTIN's cellular phone (561-459-9923), for the purpose of ordering additional firearms, stating:

CD: (The ATF CD identified himself by his first name)

MARTIN: i got you. I'm a man of many talents.

CD: My man

MARTIN: what's the max you want to spend on a carry? I'll get you everything you need. red dot, holster all of that. also next time I'll make sure it's no cut.

19. Your affiant and TFO Silva understood "carry" in this context to refer to a concealed carry firearm, which is typically more compact than a full-sized pistol so as to allow such to be more readily concealed on one's person. The term "cut" refers to using a different chemical or substance to dilute, add weight, and/or stretch the supply of a narcotic.

20. At approximately 9:17 pm on January 18, 2023, MARTIN sent the CD a text message, using the MARTIN's telephone number (561-459-9923). The conversation is similar to the conversation post-transaction on the same day. The text messages were as follows: MARTIN: what's the max you want to spend on a carry? I'll get you everything you need. red dot, holster all

of that, also next time I'll make sure it's no cut, got financing on cars on lock today, with corps attached, 3-4-year-old corps that you can get whatever funding you need.

21. At approximately 2:23 pm, on January 19, 2023, MARTIN sent the CD a text message, using phone number 561-459-9923. The text message said "\$700 Red Dot already installed" and included a picture of a 9mm, Sig Sauer, P365-XMacro.



22. TFO R. Silva analyzed the photo above depicting a Sig Sauer, P365-XMacro, 9mm caliber. TFO Silva and your affiant recalled that the wood pattern flooring, glass display case, and stack of pistol cases were identical to the flooring and display case at FFL, The Gun Room in Boca Raton, Florida, thus indicating the photo image was taken at that location. Your affiant also noted the photo image of the Sig Sauer pistol depicted a Holosun red dot sight mounted on the pistol, which is consistent with the "red dot already installed" statement made by MARIN in the text quoted above.

23. On January 20, 2023, at approximately 5:11 pm, the ATF CD sent MARTIN a text message (561-459-9923) for the purpose of ordering additional firearms and fentanyl. The text messages were as follows:

CD: Yo.... Glock 19 X and a dope AK those the 2 I'm looking for. I had to run up to Orlando to handle some stuff, I should be back Wed night. That other stuff my ppl said was pretty good too, prob gonna grab more when I get back too.

MARTIN: I can grab a Glock 19 X for you whenever. like i can go pick that up right now. do you want a sight on it or just the glock and a holster?

CD: Just the unit I don't need sight... I'll let u know when I'm driving back south.

MARTIN: alright do you want the black or brown one. the other stuff will hit harder i had already chopped it. i won't next time. that's why i said be real careful. i don't even like giving it to people that i don't know how much they do and shit like that.

24. At approximately 1:51 pm, on January 21, 2023, the CD made an audio recorded Facetime call to MARTIN, using MARTIN's phone number (561-459-9923). During that conversation, the following exchange took place:

CD: Yo.

MARTIN: Alright, this only comes up every once in a while, I got blue fenny straight from Mexico. My plugs got it, it's about three times stronger than what I gave you last time. Uh, without like, without cut, and I can get for the same price, like five hundred, eight. So, it'll be gone before you get back, but if you want to Zelle me, me grab it for you I can go drop it off like stash it at your spot.

CD: okay, yeah, I don't know if I want to do Zelle, maybe I can get somebody to grab some cash or something. Let me let me see if I can make a few calls and I'll give you a shout back yeah.

MARTIN: yeah, like it's worth it, or I wouldn't be like yo, you know what I mean.

CD: yeah, yeah, yeah for sure.

MARTIN: It doesn't come around that often.

25. On January 25, 2023, at approximately 10:07 am, the CD, initiated a FaceTime audio call with MARTIN, using 561-459-9923. The CD and MARTIN establish a meet for Friday January 27, 2022, in Pompano Beach, Broward County, Southern District of Florida, in order for MARTIN to procure, two firearms and an ounce of fentanyl for the CD. MARTIN stated, "I would have to go get the blue stuff quick. Because it's, he's probably he's probably on his last couple of ones. But it ain't gonna be 3 bands." indicating again a source for his fentanyl. MARTIN alluded to his source of supply for fentanyl being in the Pompano Beach, Florida, area.

26. At approximately 12:04 pm. on January 25, 2023, the CD sent MARTIN a text message using MARTIN's cellular phone number (561-459-9923). The CD's text message said, "I don't think I'm gonna be able to make it down to pompano Friday, I got a ton of stuff in Boca to do. So let me just get the 19x and the choppa, and like a 3.5 just to get thru the weekend. And next week can meet you in pompano when my week not so crazy...If u can get that for me for Friday and meet me somewhere up there". MARTIN responded, "we can do all of it i got you". The CD replied, "Bet  ". Your affiant is aware that a "choppa" is a slang term for an AK-47 type rifle. The "3.5" is referring to the weight of the first fentanyl transaction on January 18, 2023.

27. On January 27, 2023, at the direction of your affiant, the CD met with MARTIN in Boca Raton, Palm Beach County, Southern District of Florida. At approximately 11:53 a.m., the CD called MARTIN. MARTIN informed the CD several times that he needed to pick up the suspected fentanyl from an unknown person in Boynton Beach, Palm Beach County, Southern District of Florida, "I gotta go, I mean, yeah, I got it. We gotta go, to Boynton, to pick it up though". MARTIN then gave a general location for him and his suspected drug source, "It's like right off the Turnpike Boynton Beach Blvd and it's it makes. I mean, it's only two exits, it's up, so I'll just

meet you there. Uhm, grab the bread for that. And then I'm gonna have to figure out the, the Glock and the AK, because I don't, we're going to have to go there" and "All right well? I'll go ahead and know what I need to go handle in Boynton and I'll see if my boy can just come from the warehouse to Boca."

28. PBSO personnel participating in the surveillance observed MARTIN leaving his residence of 1 Forest Hills Lane, Boca Raton, Palm Beach County, Southern District of Florida, in a gray Dodge Durango bearing Florida tag LHLC27, and soon after, according to records provided by the Florida Turnpike Enterprise, MARTIN was captured on camera traveling northbound on the Florida Turnpike past the Boca Raton Turnpike Plaza on January 27, 2023, at approximately 12:35 pm. The images from the Florida Turnpike depict MARTIN operating the gray Dodge Durango with an arm stretched out and holding an unknown item.

29. According to records provided by the Florida Turnpike Enterprise, MARTIN was captured on camera traveling southbound on the Florida Turnpike past the Boynton Beach Turnpike Plaza on January 27, 2023, at approximately 2:00 pm. The images obtained from the Florida Turnpike depict MARTIN operating the gray Dodge Durango bearing license plate: LHLC27 with an unknown person in the vehicle's passenger seat.

30. At approximately 2:12 pm, MARTIN arrived at the meeting location in Boca Raton, Palm Beach County, Florida, and met with the CD on the passenger side of the CD's vehicle. This meeting was audio and video recorded. The CD informed MARTIN that his passenger could not enter his truck because he was unfamiliar with him. MARTIN handed the CD of suspected fentanyl wrapped in a plastic bag and said, "Please, please, I'm telling you, please be careful with that," and requested a paper and pen to fill out a bill of sale for the Sig Sauer handgun. At this point, the CD informs MARTIN that he cannot have his name associated with a firearm sale,

stating clearly, "I can't put this in my name because I'm a, I'm a felon," to which MARTIN responded, "I assumed, I assumed, I just don't ask, I'mma do another name." MARTIN provided the CD with the Sig Sauer pistol and further stated, regarding the firearm, "this is clean, 100%. I've shot it at the range only". The conversation between the two moves on to narcotics wherein MARTIN refers to his then-unknown male passenger, "that's my boy," and "he'll cook, he'll cook like half a brick (inaudible)." The unknown male was later identified as codefendant/conspirator James CINE (hereinafter CINE). MARTIN departed from the meeting at approximately 2:14 pm. The CD purchased the following evidence from MARTIN: a black, 9mm, Sig Sauer, Model P365-XMacro semi-automatic pistol, bearing serial number: 66FF390325, and 28.34 grams of fentanyl (confirmed presence of fentanyl by DEA Southeast Regional Laboratory on February 16, 2023) for \$3,700.00 derived from ATF Investigative Funds.

31. Following the meeting on January 27, 2023, another transaction was set up by the CD with MARTIN at direction of ATF for February 8, 2023, for the CD's purchase of an AK-variant rifle for \$2,000.00 and 1.5 ounces of "blue" fentanyl from MARTIN in return for \$4,800.00. MARTIN informed the CD he could conduct the sale "tomorrow just let me know when you're on your way and i'll go get it".

32. On February 8, 2023, at the direction of your affiant, the CD met with MARTIN in Boca Raton, Palm Beach County, Southern District of Florida. This transaction was audio and video recorded. At approximately 1:32 pm, MARTIN arrived in a white sedan and entered the CD's vehicle, at which time MARTIN immediately provided the CD a blue plastic bag with a suspected amount of 1.5 grams of fentanyl. The CD handed MARTIN \$4,800.00 derived from ATF Investigative Funds to purchase the fentanyl. MARTIN immediately said, "The ak didn't happen, my name's flagged, so I'm going to get my girl to do it". The CD replied, "Oh, it didn't

happen?" MARTIN responded. "Nah I just went over there that's why I was that way, I went over to uh the store and it's there I'm cut off for little bit but I can have my wife go and do it." MARTIN further stated. "I'll have my girl go she'll pay for it and then I just drop it off 5 days or I mean i pick it up in three days."

33. Prior to the conclusion of the meeting, the following conversation occurred when the CD inquired about the source of firearms MARTIN previously mentioned:

CD: Yeah, I, I thought you had like somebody at the fucking, the store that fucked with that (unintelligible)

MARTIN: I do but I can't go there right now because the feds picked up my paper work remember?

CD: Oh yeah, yeah, yeah

MARTIN: It's not it's not gonna come to nothin -- everything I did do with guns is legal

CD: right

MARTIN: On my side, I don't know if you're a felon, you know what I mean?

CD: (laughs) Right, I guess

34. Following the transaction, MARTIN was observed by law enforcement personnel to have driven to a nearby gas station where a second occupant, unknown at the time (identified as CINE) was a passenger in the vehicle during this third transaction between MARTIN and the CD. MARTIN and CINE drove erratically through Palm Beach County and Broward County utilizing the Florida Turnpike, ultimately driving to northern Palm Beach County.

35. On February 16, 2023, in a recorded communication, MARTIN agreed to meet the CD in the Florida Turnpike and Lake Worth Road area to sell him a Glock 19 and 2 ounces of fentanyl. On February 17, 2023, at 12:09 pm, at the direction of ATF and in a recorded

communication, the CD contacted MARTIN and informed him that he was available to meet. At approximately 1:09 pm, PBSO Agents observed a white Chevrolet vehicle similar to the vehicle MARTIN was observed driving on February 8, 2023, departing from the area of his community. The white Chevrolet then proceeded to the Florida Turnpike and began traveling northbound to meet with the CD.

36. At approximately 1:25 pm, February 17, 2023, the CD, accompanied by CINE in the passenger seat of MARTIN's vehicle, arrived in a public parking lot at 8205 Lake Worth Road, Lake Worth, Palm Beach County, Southern District of Florida. This transaction was similarly audio and video recorded. MARTIN met the CD in the rear of the vehicle the CD was driving. The CD purchased the following items from MARTIN in exchange for \$5,500.00 derived from ATF Investigative Funds:

- a. Glock, Model: 19 Gen 4, 9mm caliber semi-automatic pistol, SN: BKUW567, for \$700.00
- b. Approximately 2 ounces (32.4 grams TPW) of suspected fentanyl in a package marked "Blue Sherbert" for \$4,800.00

37. Once the CD completed the initial transaction for the Glock and two ounces of fentanyl, he asked MARTIN if he could purchase an additional \$500.00 worth of fentanyl. MARTIN walked towards the front passenger side of his Chevrolet Malibu and retrieved more fentanyl directly where CINE was seated. MARTIN then returned to the rear of the CD's vehicle, and the second transaction for 10.2 grams of suspect fentanyl for \$500.00 ensued.

38. Following the video-recorded transaction, the CD walked away from the rear of the vehicle, and ATF agents initiated a takedown of MARTIN and CINE. MARTIN quickly entered the vehicle's driver's seat and attempted to flee the area in his vehicle. As he maneuvered his

vehicle in the parking spot, he struck an unoccupied vehicle in the parking lot. At this time, ATF agents apprehended CINE and MARTIN without further incident.

39. A search of the white Chevrolet MARTIN vehicle was operating pursuant to search incident to the defendant's arrest, as well as based upon the strong odor of marijuana emanating from within the vehicle, revealed the following: a partially burnt marijuana cigar, and 6.5 grams of marijuana in a plastic bag. A field test of the suspected marijuana yielded positive results.

40. Following a search incident to arrest of CINE, approximately 4.3 grams of Marijuana was found in his possession and field-tested positive for the substance.

41. An ATF Special Agent who is certified as an interstate nexus expert as it pertains to the manufacturing of firearms and ammunition was consulted in connection with this case and advised that all of the aforementioned firearms distributed to the CD by MARTIN were manufactured outside the State of Florida and necessarily traveled in and affected interstate and foreign commerce.

42. Shortly after, the ATF West Palm Beach SA's and TFOs conducted a federal search warrant on MARTIN's residence at 1 Forest Hills Lane, Boca Raton, FL 33431. Agents recovered approximately forty-five (45) .40 S&W rounds and a pill bottle of nine (9) baggies with an unknown white powdery substance from the residence.

43. MARTIN and CINE were transported to the ATF West Palm Beach Office, wherein both defendants were interviewed. In an audio and video recorded interview, your affiant read MARTIN his constitutional *Miranda* warnings from a *Miranda* rights card after which MARTIN verbally acknowledged that he understood his rights and agreed to speak with your affiant and ATF TFO Richard Silva. Similarly, in an audio and video recorded interview, ATF SA Vincent Rubbo read CINE his constitutional *Miranda* warnings from a *Miranda* rights card, wherein CINE

verbally agreed that he acknowledged and understood his rights, agreeing to speak with SA Rubbo and TFO Headings.

44. Post-*Miranda* MARTIN stated he sold the CD narcotics on four occasions, and firearms on three occasions. MARTIN further said he knew DT to be a drug dealer, having purchased narcotics from DT approximately 15 times between November and December of 2022. MARTIN stated that between December 6, 2022, and December 10, 2022, he (MARTIN) sold a firearm to DT, which he confirmed to be the Glock 43X pistol which was recovered on December 11, 2023. TFO Silva asked MARTIN if he had ever sold James CINE, a/k/a "Kobe," any firearms? MARTIN advised that in January 2023, he traded Kobe a Taurus, Model G2C, 9mm pistol, and a Smith & Wesson, Model Lady Smith revolver in return for heroin. MARTIN stated he also purchased a Sig Sauer pistol for \$200.00 from Kobe, but that Kobe bought the pistol back from him a short time later. MARTIN stated that CINE acted as his source of supply for the drugs he (MARTIN) sold to the CD, and that CINE had accompanied him on three of the above-described drug sales to the CD. MARTIN further stated that CINE provided him the Glock Model 19 gen 4 he sold the CD earlier that day (February 17, 2023). Voluntary consent by MARTIN was given for his cellular phone.

45. Post-*Miranda*, CINE stated to ATF Agents that he was a convicted felon. CINE admitted he had handled the Glock 19 gen 4 pistol which was sold to the CD on February 17, 2023, as well as the firearm MARTIN sold the CD on January 27, 2023 (Sig Sauer, Model P365-XMacro, 9mm, semi-automatic pistol, bearing serial number: 66FF390325), and said that his DNA would be found on both pistols. CINE voluntarily consented to provide a DNA sample for investigatory purposes, signing an ATF consent to search form. Voluntary consent by CINE was given for his cellular phone. CINE advised that he and MARTIN purchase drugs from the same source of supply

in Palm Beach County. CINE further advised that he was to receive a percentage of the proceeds of MARTIN's drug sales to the CD.

**CONCLUSION**

46. WHEREFORE, on the basis of the facts and circumstances set forth above, your affiant respectfully submits probable cause exists to charge TREVOR SCOTT MARTIN with the following violations Title 18, United States Code, Sections 922(d)(1) and 924(a)(8)(Knowing Selling or Disposing of a Firearm to a Convicted Felon); Title 21, United States Code, Sections 841(a)(1) and 846 (Possession of Controlled Substances with the Intent to Distribute, and Conspiracy to Possess with Intent to Distribute Controlled Substances); and Title 18, United States Code, Section 924(c) (Possession of a Firearm in Furtherance of Federal Drug Trafficking Crimes). Your affiant further submits that probable cause exists to charge JAMES CINE with the following violations of federal law: Title 18, United States Code, Section 933(a)(1)(Trafficking in Firearms); Title 18, United States Code, Sections 922(g)(1) and 924(a)(8)(Possession of a Firearm by a Convicted Felon); Title 18, United States Code, Sections 924(c) and 2(b)(Possession of a Firearm in Furtherance of a Federal Drug Trafficking Crime); and Title 21, United States Code, Sections

841(a)(1) and 846 (Possession of Controlled Substances with the Intent to Distribute, and Conspiracy to Possess with Intent to Distribute Controlled Substances).

**FURTHER YOUR AFFIANT SAYETH NAUGHT.**



Special Agent Herbert Kyle Belga  
Bureau of Alcohol, Tobacco, Firearms and  
Explosives (ATF)

ATTESTED TO ME TELEPHONICALLY (VIA  
FACETIME) BY THE APPLICANT IN  
ACCORDANCE WITH THE REQUIREMENTS  
OF FED. R. CRIM. P. 4.1 THIS 18th DAY OF  
FEBRUARY, 2023.



RYON M. McCABE  
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: TREVOR SCOTT MARTIN

Case No: 23-mj-8090-RMM

**Count # 1**

**Unlawful Sale of one or more Firearms to a known Felon**

**Title 18, United States Code, Sections 922(d)(1), 924(a)(8)**

- \* **Max. Term of Imprisonment:** Fifteen (15) years
- \* **Mandatory Min. Term of Imprisonment (if applicable):** not applicable
- \* **Max. Supervised Release:** Three (3) years
- \* **Max. Fine:** \$250,000.00
- \* **Special Assessment:** \$100.00

**Count # 2**

**Conspiracy to Possess with the Intent to Distribute a Controlled Substance (Fentanyl)**

**Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C)**

- \* **Max. Term of Imprisonment:** Twenty (20) years
- \* **Mandatory Min. Term of Imprisonment (if applicable):** not applicable
- \* **Max. Supervised Release:** Life
- \* **Max. Fine:** \$1,000,000.00
- \* **Special Assessment:** \$100.00

**Count # 3**

**Possession of Firearms in Furtherance of a Federal Drug Trafficking Crime**

**Title 18, United States Code, Section 924(c)(1)(A)**

- \* **Max. Term of Imprisonment:** Life
- \* **Mandatory Min. Term of Imprisonment (if applicable):** 5 years' imprisonment, consecutive to any penalty imposed on underlying drug count.
- \* **Max. Supervised Release:** Five (5) years
- \* **Max. Fine:** \$250,000.00
- \* **Special Assessment:** \$100.00

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: JAMES CINE

Case No: 23-mj-8090-RMM

**Count # 1**

**Felon in Possession of a Firearm**

**Title 18, United States Code, Sections 922(d)(1), 924(a)(8)**

- \* Max. Term of Imprisonment: Fifteen (15) years
- \* Mandatory Min. Term of Imprisonment (if applicable): not applicable
- \* Max. Supervised Release: Three (3) years
- \* Max. Fine: \$250,000.00
- \* Special Assessment: \$100.00

**Count # 2**

**Conspiracy to Possess with the Intent to Distribute a Controlled Substance (Fentanyl)**

**Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C)**

- \* Max. Term of Imprisonment: Twenty (20) years
- \* Mandatory Min. Term of Imprisonment (if applicable): not applicable
- \* Max. Supervised Release: Life
- \* Max. Fine: \$1,000,000.00
- \* Special Assessment: \$100.00

**Count # 3**

**Possession of Firearms in Furtherance of a Federal Drug Trafficking Crime**

**Title 18, United States Code, Sections 924(c)(1)(A) and 2(b)**

- \* Max. Term of Imprisonment: Life
- \* Mandatory Min. Term of Imprisonment (if applicable): 5 years' imprisonment, consecutive to any penalty imposed on underlying drug count.
- \* Max. Supervised Release: Five (5) years
- \* Max. Fine: \$250,000.00
- \* Special Assessment: \$100.00

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

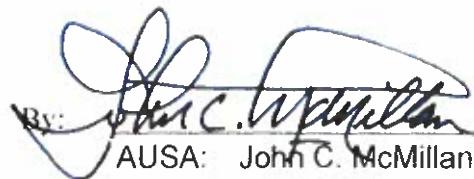
CASE NUMBER: 23-mj-8090-RMM

BOND RECOMMENDATION

DEFENDANT: TREVOR SCOTT MARTIN

Pre-Trial Detention

(Personal Surety) (Corporate Surety) (Cash) (Pre-Trial Detention)

  
AUSA: John C. McMillan

Last Known Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What Facility: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Agent(s): ATF S/A Herbert Kyle Belga  
(FBI) (SECRET SERVICE) (DEA) (IRS) (ICE) (OTHER)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

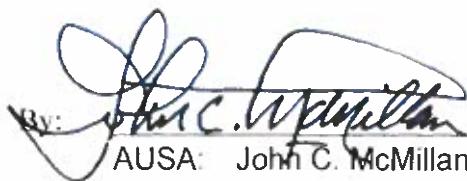
CASE NUMBER: 23-mj-8090-RMM

BOND RECOMMENDATION

DEFENDANT: JAMES CINE

Pre-Trial Detention

(Personal Surety) (Corporate Surety) (Cash) (Pre-Trial Detention)



John C. McMillan  
AUSA: John C. McMillan

Last Known Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What Facility: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Agent(s): ATF S/A Herbert Kyle Belga  
(FBI) (SECRET SERVICE) (DEA) (IRS) (ICE) (OTHER)